

# **Exhibit I**

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September 14, 2018

**By E-MAIL**

Michael N. Nemelka  
KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.  
1615 M Street, N.W., Suite 400  
Washington, D.C. 60036

Re: *In re Dealer Management Systems Antitrust Litig.*,  
MDL No. 2817, Case No. 18-CV-864 (N.D. Ill.)

Dear Mike:

I write regarding Individual Plaintiffs' September 10 letter regarding proposed document custodians for Computerized Vehicle Registration ("CVR"). Reserving all rights, we would like to meet-and-confer, and are available on Tuesday or Wednesday afternoon (September 17 or 18), after 4:00 p.m. (Central). Please let us know if either time works for you.

Despite your letter, Individual Plaintiffs' request for 11 additional CVR document custodians is not "[c]onsistent with our prior discussions and correspondence on this issue." As you know, Individual Plaintiffs originally proposed 13 custodians for CVR. Our last correspondence on the matter—which was exchanged more than three months ago—indicated that we were likely to agree to four of those proposed custodians: Jim Quinlan, Janet Michaels, Jason Bonifay, and Scott Herbers. *See* 06/12/18 Ltr. from M. Provance to M. Nemelka at 4. Nonetheless, it appears that Plaintiffs' original proposal for CVR custodians remains unchanged, with the exception of Scott Herbers (who has since been made a custodian by CDK) and Jason Bonifay.

CVR is a relatively small organization. It is named as a Defendant in a single case, where there are only a handful of allegations directed towards its purported conduct.<sup>1</sup> As you know, we do not believe that the claims asserted against CVR should proceed and that MVSC's allegations will again not survive CVR's motion to dismiss. Further, we do not agree that 11 CVR document custodians—on top of the 59 document custodians that Defendants have already agreed to—is reasonable or proportional to the needs of the case. That is almost twice the number of custodians designated for MVSC (which has agreed to 6 custodians), more than twice the number of custodians designated for AutoLoop (which has agreed to only 5 custodians), and even more than the 10 custodians collectively designated for Cox Automotive, Autotrader.com, Inc., Dealer Dot Com, Inc., Dealertrack, Inc., HomeNet, Inc., Kelley Blue Book Co., Inc., vAuto,

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<sup>1</sup> Indeed, plaintiff Authenticom, AutoLoop, and Cox Automotive's attempt to serve 111 *party* document requests on CVR is improper as CVR is not a defendant in any of those actions, an issue that we will address in connection with those RFPs.

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Inc., VinSolutions, Inc., and Xtime combined, despite the fact that the Cox Automotive family of companies is easily orders of magnitude larger than CVR.

Sincerely,

/s/ Matthew D. Provance  
Matthew D. Provance

cc: Lead MDL Plaintiff Counsel of Record  
Reynolds Counsel of Record  
Mark Ryan  
Britt Miller  
Andrew Marovitz